



## PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of Eric B. Stenzel

Group Art Unit: 3738

Application No.: 10/701,455

Examiner: Suzette Jaime J Gherbi

Filed: November 6, 2003

Docket No.: 12013/48301

For METHOD AND APPARATUS FOR CONTROLLED DELIVERY OF ACTIVE

SUBSTANCE

## INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR § 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449. Unless otherwise indicated herein, one copy of each reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom. The filing of this Information Disclosure Statement and the enclosed PTO Form No. 1449, shall not be construed as an admission that the information cited is prior art, or is considered to be material to patentability as defined in 37 C.F.R. § 1.56(b). The paragraphs marked below are applicable. It is believed that no fees other than those indicated below are due, but authorization is hereby given to charge any additional fees due, or to credit any overpayment, to deposit account 11-0600.

1. This Information Disclosure Statement is being filed (a) within three months of the filing date of a national application other than a continued prosecution application under 37 C.F.R. §1.53(d), (b) within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, (c) before the mailing date of a first Office Action on the merits in the present application, OR (d) before the mailing of a first office action after filing of a request for continued examination. No certification or fee is required.

the merits, b	This Information Disclosure Statement is being filed more than three or the U.S. filing date AND after the mailing date of the first Office Action on but before the mailing date of a final action, Notice of Allowance, or any otherwise closes prosecution.
foreig mont	a. I hereby certify that each item of information contained in this mation Disclosure Statement was first cited in any communication from a gn patent office in a counterpart foreign application not more than three hs prior to the filing of this Information Disclosure Statement. 37 CFR 7(e)(1).
in a c reasc more	b. I hereby certify that no item of information in this Information osure Statement was cited in a communication from a foreign patent office counterpart foreign application, and, to my knowledge after making onable inquiry, was known to any individual designated in 37 CFR §1.56(c) than three months prior to the filing of this Information Disclosure ement. 37 CFR §1.97(e)(2).
the d	c. Please debit Deposit Account No. <u>11-0600</u> in the amount of .00 in payment of the fee under 37 CFR §1.17(p) to ensure consideration of isclosed information. Two duplicate copies of this paper are attached. 37 §1.97(c)(2).
before paym Disclosure S amount of \$	This Information Disclosure Statement is being filed after the mailing date tion, Notice of Allowance or an action that otherwise closes prosecution, but nent of the Issue Fee. Applicant(s) hereby request(s) that the Information Statement be considered. Please debit Deposit Account No. 11-0600 in the 180.00 in payment of the petition fee under 37 CFR §1.17(p) to ensure on of the disclosed information. Two duplicate copies of this paper are
foreig mont	a. I hereby certify that each item of information contained in this mation Disclosure Statement was first cited in any communication from a gn patent office in a counterpart foreign application not more than three hs prior to the filing of this Information Disclosure Statement. 37 CFR 7(e)(1).
in a c reasc more	b. I hereby certify that no item of information in this Information osure Statement was cited in a communication from a foreign patent office counterpart foreign application, and, to my knowledge after making onable inquiry, was known to any individual designated in 37 CFR §1.56(c) than three months prior to the filing of this Information Disclosure ement. 37 CFR §1.97(e)(2).
☐ 4. present spec	Relevance of the non-English language reference(s) is discussed in the cification.

/	
5. The reference(s) was/were cited in a coun (PCT/US04/036489). Copies of the International Search 2005, and the Written Opinion of the International Search 27, 2005, are attached for the Examiner's information.	h Report dated May 27,
☐ 6. A concise explanation of the relevance of reference(s) appears in the Appendix attached hereto.	the non-English language
7. The Examiner's attention is directed to co-No, filed, which is directed to related technical identification of this U.S. Patent Application is not to be secrecy as to that application now or upon issuance of the patent. The Examiner is respectfully requested to consider the cited therein during examination of the present application.	al subject matter. The construed as a waiver of he present application as a der the cited application and the
8. This application is one of a series of relater attached Appendix, which are directed to related technic identification of those U.S. Patent Applications is not to secrecy as to those applications now or upon issuance opatent. The Examiner is respectfully requested to consist the art cited therein during the examination.	cal subject matter. The be construed as a waiver of of the present application as a
9. The reference(s) was/were cited by or subapplication No, filed, which i date under 35 U.S.C. §120. Thus, copies of these refer §1.98(d).	mitted to the Office in parent s relied upon for an earlier filing ences are not attached. 37 CFF
☐ 10. English-language Abstracts of the non-Enattached hereto.	iglish language references are
☐ 11. Other.	
R	espectfully submitted,
Date: 9 June 2005	Douglas E. Ringel Registration No. 34,416
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Complete if Known

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

10/701,455 Application Number Filing Date November 6, 2003 First Named Inventor Eric B. Stenzel Art Unit 3738 Examiner Name Suzette Jamie J Gherbi

12013/48301

(Use as many sheets as necessary)

Substitute for form 1449A/PTO

Sheet Attorney Docket Number

	U.S. PATENT DOCUMENTS				
Examiner Initials *	Cite No.1	Document Number Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevar Passages or Relevant	
muais		Number - Kind Code <sup>2</sup> (if known)			Figures Appear
		US- 2003/068355 A1	04/10/03	Shanley	
		US- 6,210,703 B1	04/03/01	Novich	
·		US-			
		US-			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite	Foreign Patent Document	Publication	Name of Patentee or	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	<b>T</b> ⁵
	No.1	Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)	Date MM-DD-YYYY	Applicant of Cited Document		
		WO 03/030879 a	04/17/03			
		WO 2004/016298 A	02/26/04			
		WO 2004/087251 A	10/14/04			
		-				

Examiner Signature	Date Considered	

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Skind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.